

REMARKS

This is in response to the Office Action dated September 28, 2000. Claims 22-52 had been pending in the application. Claims 22-41 were withdrawn from consideration. By this amendment, claims 22-41 have been cancelled. Claims 42-52 as amended remain pending in the application. New claims 53-56 have been added to further define the patentable aspects of applicant's invention.

Claims 42-52 were rejected under 35 U.S.C. §112 second paragraph as being indefinite for failing to particularly point out distinctly claimed subject matter which applicant regards as the invention. Applicant has addressed all these and submits that it has remedied any indefiniteness that may have existed in previously pending claims 42-52 in the present amendment.

The examiner rejected claims 42-43 and 49 as being anticipated by Tilton (U.S. Patent No. 2,642,590) and rejected claims 44, 47-48 and 50 under 35 U.S.C. §103 as being unpatentable over Tilton. Applicant has amended claim 42 and all claims dependent thereon by requiring that the selectively actuated coupling means be foot actuated (claim 42) and that this coupling means be located on said first and second platforms (claim 53), that it comprises a footpad (claim 54) and that the length of the footpad is less than the length of the rigid cross member of said first platform.

The portable work stand of Tilton discloses a hand gripping bar 62 that must be pulled rearwardly to actuate the casters in a lowered position. Tilton does not teach or suggest the use of a foot actuated platform or a footpad, let alone one that has a length less than that of the rigid cross member of the first platform to accomplish this purpose.

In fact, the bar construction of Tilton teaches away from applicant's claimed invention which is a dolly for selectively lifting, transporting and lowering a power tool mounted on a stand. If a power tool were mounted on the Tilton stand, then the bar would be rendered inoperable to raise and lower the casters unless the power tool were actually removed prior to removing the bar.

For the foregoing reasons, applicant respectfully submits that all claims define patentable invention over the art of record and respectfully request allowance of same.

Respectfully submitted,



Date: March 28, 2001

Thomas P. Liniak
Registration No. 33,415
Attorney for Applicant

Liniak, Berenato, Longacre & White, LLC
6550 Rock Spring Drive, Suite 240
Bethesda, Maryland 20817
(301) 896-0600

APPENDIX

42. (Twice Amended) A dolly for selectively lifting, transporting, and lowering a power tool mounted on a stand, the dolly comprising:

a first platform including a first pair of rigid elongated members, a first rigid cross member extending between said pair of rigid elongated members, and a first wheel system extending downwardly therefrom;

a second platform including a second pair of elongated members and a second wheel system extending downwardly therefrom;

a connection system for affixing said first and second platforms to the stand;

a selectively foot actuated coupling means for selectively locking at least one of said first and second platforms in a locking position with respect to the stand;

wherein said dolly is moved between a possible position [where] wherein said stand rests on the ground to a lift position where the stand is lifted off of the ground and [back to said passive] a lift position thereby enabling the stand to be moved on the ground via said wheel systems, and wherein said dolly is moved between said passive position and said lift position in response to a pressure applied to one of said first and second platforms.

43. (Once Amended) The dolly of claim 42, wherein said dolly is moved from said passive position to said lift position in response to a pressure applied to one of

said first and second platforms that forces said wheels downward so that said wheel systems[, as opposed to the stand,] support the stand on the ground.

44. (Once Amended) The dolly of claim 42, wherein said second pair of elongated members is rigid and said second platform further comprises [a second pair of rigid elongated members,] a second rigid cross member extending between said second pair of rigid elongated members.

46. (Once Amended) The dolly of claim 45, wherein first pair of rigid elongated members extend across and overly a portion of said second platform, said first pair of rigid [elongted] elongated members adapted to pivot in a vertical direction and being fixed against movement in a horizontal direction with respect to the stand.

47. (Once Amended) The dolly of claim 42, wherein said first wheel system comprises at least one wheel and each wheel of said first wheel system is affixed to said first platform via a bolt extending through said first pair of rigid elongated members of said first platform.

second?

48. (Once Amended) The dolly of claim 42, wherein said first wheel system comprises at least one wheel and each wheel of said second wheel system is affixed to said second platform via a bolt extending through said second pair of rigid elongated members of said second platform.

51. (Once Amended) The dolly of claim 42, wherein said first pair of rigid elongated members extend away from [said first portion of] the stand and converge toward one another, and wherein an actuation member for receiving a downwardly applied pressure to move said dolly from said passive portion to said lift position is disposed adjacent a terminal end of said first pair of rigid elongated members.

52. (Once Amended) The dolly of claim 42, wherein said second platform defines a flat, substantially trapezoidal frame portion [comprises] comprising said second pair of [rigid] elongated members, a first transverse member extending between wheels of said second wheel system, and a second transverse member extending between said second pair of elongated members to thereby define a pivot bar engaging said first pair of rigid elongated members.